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application resident in the car rental example given processes the reservation request in accordance with a program logic as shown in fig. 20 with a computer system as shown in fig. 4. The car rental example is described beginning at col. 14, line 53 and continuing through col. 24, line 45. As explained in overview beginning at col. 13, line 57 through col. 14, line 21, a user accesses the program which does no more than make a car reservation for the ultimate user or renter of the car. More particularly, step 2010 initializes and identifies the car rental request, step 2020 determines if a car is available to fill the reservation, if a car is available then in step 2030 a specific car that matches the request is identified and scheduled by a human rental agent with confirmation being sent back to the user, if no car is available then in step 2040 a human rental agent is given the option of finding a car and if so, then step 2050 is performed which allows the human agent to select from a list of cars a car to be moved to the desired location to match the request.

Of particular note in reviewing Brandt et al, as in some instances noted and acknowledged by the Examiner, is the lack of any consideration of extending the rental car software application to provide for third party usage, in high volume, as in the present application. In a high volume, business to business application, there are significant obstacles and hurdles which had to be overcome in order to enable the functionality of this significantly greater complexity of business activity over the internet. In other words, the Brandt et al system and program is akin to the great number of web sites offering direct car reservations to be made by consumers for their own personal usage. Typically, these web sites allow for a consumer to sign on, enter their request, input credit card data for paying for the transaction, and then automatic fulfillment of these requests by the rental car agency. At these web sites, a user is permitted to connect directly with a "legacy" system of a rental car provider.

In contrast, the present invention enables third party providers, such as insurance company claims adjusters and the like, to process a great number of car reservations and be provided with the additional services needed to not only keep track of them but also monitor, modify, communicate about, and ultimately be invoiced for and pay for them. This functionality is achieved by providing an additional "layer" of software and hardware between the user and the rental car company "legacy" software which provides the fulfillment of the reservation. More particularly, the additional software is identified as the "ARMS" software in the subject application and in the preferred embodiment is run on a separate AS400 78 as shown in fig. 3 of the subject application. In the preferred embodiment, as shown in fig. 3, the fulfillment or "legacy" software is shown as the ECARS software being run on a separate AS400 80. Brandt et al teach nothing about the need for this additional functionality, much less the additional layering of a separate "management" software and hardware through which a business partner accesses, operates and communicates with a rental car provider. These patentable distinctions are included in the claims and a more detailed explanation with respect to the claims now follows for the Examiner's consideration.

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Claims 1-40, 45-46, 48, and 50 have been rejected as being obvious under §103 over Brandt et al. Claim 1 recites, inter alia, a computer system with a "rental vehicle software program being configured to . . . communicate a rental vehicle reservation to one of a plurality of providers of said rental vehicle services, at least one of said rental vehicle service providers offering a plurality of specific geographically remote rental vehicle locations at which vehicles for rent are situated." As used in the specification of the present application, the term "provider of rental vehicle services" is intended to mean a company that provides such services and not just one of many locations that a specific company may have. In the rental car example, this is interpreted as providing a system that allows a user to make a reservation not only with Enterprise Rent-A-Car Company but also with Hertz, Avis, etc., all through the same rental vehicle software program. The Brandt et al system has no such capability and instead speaks only in terms of a single specific rental car agency associated with its own software program. This is the equivalent to the FlowMark program 342 in computer system 340 as shown in fig. 4. Furthermore, the Brandt et al system teaches that its solution to such a problem would be to instead connect the user directly to the other service provider's web site and its own software program. This would be a second computer system and software corresponding to the computer systems 330, 340 and their associated software again as shown in fig. 4. While that would be a solution, and would enable a user to make his reservation with Hertz, say, instead of Enterprise Rent-A-Car, this would create an accounting nightmare in a business-to-business, high volume relationship in that all these multiple rental vehicle transactions would be handled by separate "legacy" systems at each provider and there would be no common collection point for the data corresponding to all the rental transactions. The absence of this common collection point for data would result in an inability of the user to keep track of, modify, communicate effectively about, pay for and otherwise be aware of the overall activity in placing reservations at multiple service providers. Nor would it be obvious to modify the Brandt et al system in the manner taught by the present invention as Brandt et al already teach a different solution that is not the claimed system and for the further reason that the claimed system is not only different but provides the much needed common collection point for data as needed in this application. In essence, the claimed invention includes a rental vehicle software program comprising an additional layer of software which provides this functionality and not a "legacy" system as disclosed in Brandt et al. Thus, not only is the claimed system different, but it provides a functional advantage not contemplated by the prior art, which is the touchstone to patentability.

It is also noted that the Office has acknowledged that the Brandt et al system "fails to teach . . . authorizing, processing and billing . . ." as claimed in claim 1. For the reasons as explained above, it would not have been obvious for one of ordinary skill in the art to add these features. First of all, in the domain in which Brandt et al operates, i.e. that of the consumer making a single reservation for himself, there is no need for these functions. Instead, as evidenced by what has happened in the real world since Brandt et al was filed, rental car web sites routinely ask for credit card information as a substitute for

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these processes. In other words, as long as the consumer's credit card company will agree to pay for the rental, the rental car company is prepared to accept the reservation. Thus, these issues don't come up in the "obvious" extension of Brandt et al to accommodate payment. However, with the present invention, where third party adjusters need to be making multiple transactions in a high volume business-to-business relationship, as explained in the specification of the present application, another layer of software is provided to keep track of and provide the authorizing, processing, and billing functions. Brandt et al fails to even address these issues and for these additional shortcomings of the prior art the present claim 1, and those claims depending therefrom including claims 2-23 are fully patentable. While detailed comments have been provided by the Office for other such dependent claims, it is not considered necessary to separately address them as the base independent claim is fully patentable over Brandt et al. However, many of these claims are themselves separately patentable and solely for reasons of brevity they are not being separately argued herein. Nevertheless, applicant reserves the right to separately address the patentability of all these claims in any subsequent proceeding, as necessary.

The next independent claim in this rejection is claim 24. Claim 24 recites an automatic rental vehicle transaction including a "rental vehicle software program being configured to automatically respond to a series of commands from said authorized purchaser and communicate a rental vehicle reservation to any one of a plurality of vehicle rental service providers . . . having sufficient information for authorizing, processing and billing said rental vehicle transaction." As explained above, Brandt et al do not disclose a system or software having this capability and instead merely disclose an internet portal for user direct access to a "legacy" software for fulfillment of a car rental reservation. No management capabilities are provided by this "legacy" software, and Brandt et al actually teach that connection to any one of a plurality of vehicle rental service providers can be facilitated by merely connecting separately to another web address, with that web address having its own "legacy" software program. In other words, Brandt et al do not disclose or suggest a single "rental vehicle software program" as claimed having the capability to connect to different "legacy" car rental software programs. As taught in the preferred embodiment of the present invention, a layer of a separate software program and hardware identified as ARMS 78 in fig. 3 is needed to provide this functionality and the "legacy" software/hardware "ECARS" system 80 provides the fulfillment. Brandt et al fails to even address these issues and for these additional shortcomings of the prior art the present claim 24, and those claims depending therefrom including claims 25-34 are fully patentable. While detailed comments have been provided by the Office for other such dependent claims, it is not considered necessary to separately address them as the base independent claim is fully patentable over Brandt et al. However, many of these claims are themselves separately patentable and solely for reasons of brevity they are not being separately argued herein. Nevertheless, applicant reserves the right to separately address the patentability of all these claims in any subsequent proceeding, as necessary.

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The next independent claim in this rejection is claim 35. Claim 35 recites "a computer software program . . . providing administrative control and accounting for, services offered and physically available at a plurality of geographically diverse locations." As explained above, Brandt et al disclose only internet connection to "legacy" systems and neither recognizes the need for nor provides a solution for the needed administrative control and accounting needed to accommodate high volume business-to-business operations. Instead, Brand et al teach that a user may be separately connected to another service provider's "legacy" software/hardware, over the internet, using his web browser. This is a different solution than that provided by the present invention, and it will not yield the claimed administrative and accounting control. By offering a different solution, one which does not provide the claimed functionality, Brandt et al actually teach away from the present invention. Brandt et al fails to address these issues and for these additional shortcomings of the prior art the present claim 35, and those claims depending therefrom including claims 36-40 are fully patentable. While detailed comments have been provided by the Office for other such dependent claims, it is not considered necessary to separately address them as the base independent claim is fully patentable over Brandt et al. However, many of these claims are themselves separately patentable and solely for reasons of brevity they are not being separately argued herein. Nevertheless, applicant reserves the right to separately address the patentability of all these claims in any subsequent proceeding, as necessary.

The next independent claim in this rejection is claim 45. Claim 45 recites "an internet enabled automatic rental vehicle transaction system, said system having an internet web site through which an authorized purchaser of rental vehicle services may access a plurality of rental vehicle providers including at least one provider having a rental vehicle software program resident on a computer system." Brandt et al fail to teach a system having a single web site through which a plurality of rental vehicle providers may be accessed. Instead, as explained above, Brandt et al provide user access to a number of separate web sites, with each web site being associated with a separate rental vehicle provider, thereby requiring a user to sign onto a separate web site to make a rental reservation with a different service provider. By way of contradistinction, the present invention allows a user to sign onto a single web site and yet make a rental vehicle reservation with any one of a plurality of service providers. This provides a unique advantage in that a user need not sign off and then "surf" over to another web site to make the second reservation. Furthermore, all the accounting and administrative tasks may be performed on both reservations, and data provided for both to a user, by using the present invention. This claimed feature renders the present invention uniquely suited to a business-to-business relationship as is disclosed and claimed in the present application. By not providing this capability, and as it is not taught that administrative and accounting functions would be desired, it would not be obvious to one of ordinary skill in the art to modify Brandt et al. Nor would it be obvious even should one of ordinary skill in the art be charged with that task as to do so would require the creation of a whole layer of software/hardware not contemplated by Brandt et al.

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Claim 46 adds a reporting functionality which further highlights the difference in focus between the prior art reference and the present invention. Brandt et al contemplates "once and done" reservations that are made by consumers who typically make a single reservation and don't need reporting as it would be overkill and unnecessary. The Brandt et al reference does not teach the claimed invention.

The next and last two claims in this rejection are claims 48 and 50. Both of these claims depend ultimately from independent claim 47. It is thought to be more efficient to address these rejections in the discussion concerning independent claim 47.

The Office has rejected claims 41-44, 47 and 50 as being anticipated under §102(e) by the same Brandt et al patent. Claim 41 recites a method whereby "an authorized purchaser comprising a multi-level business organization of rental vehicle services may access a rental vehicle software program and make reservations for any one of a plurality of rental vehicle service providers" and with the method including the step of "establishing a link between said purchaser's computer system and at least one of said plurality of providers computer system." As explained above, Brandt et al do not teach a single point access through a single "link" which may be a web site to a plurality of service providers. As it fails to teach such single point access, it also does not teach a step of establishing a link through that single point access web site to one of a plurality of service providers. Instead, Brandt et al teach that each service provider has its own internet gateway, or even multiple gateways, instead of a single internet gateway having access to a multiple number of service providers. This is best exemplified by Brandt et al fig. 7 and the discussion beginning at col. 14, line 23 to line 51. Note that a user at CW1-3 (client workstations 1-3) have access through WS1-2 (web servers 1-2) to GCS1 (gateway computer system 1) which then provides access to SACS1 (software application system 1). As explained therein, a second gateway GCS2 may be provided to allow for in-house testing while the first gateway GCS1 provides customer access. Thus, with the architecture taught by Brandt et al, customers are funneled into a common gateway for each service provider and must access a separate gateway to gain access to a second service provider. With the present invention, as claimed, each user may access multiple providers through a single gateway provided by one of said suppliers. This difference provides the functional advantage needed in a business-to-business environment where a single user might like to make reservations with multiple service providers without the need to "surf" to another provider's web site, and perhaps more importantly when a single web site and associated software is used there is the capability to provide administrative and accounting information across all the reservations made by the user to all the service providers. The other independent claim in this rejection, claim 47, recites similar limitations where the computer providing internet access is also "configured to allow users to place reservations for rental vehicle services with any one of said providers". As explained above, Brandt et al do not provide a single computer with an internet gateway through which multiple service providers are accessible. As such, the many advantages offered with this connection arrangement are not available. Nor would it be obvious to


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abandon the connection scheme taught by Brandt et al in absence of any teaching that to do so would provide any functional advantage. Furthermore, the present inventors have found it necessary to layer on a new software program to achieve this functionality, as claimed, and Brandt et al is fully self contained and indeed fully being utilized in today's world in the consumer environment. While detailed comments have been provided by the Office for other dependent claims included in this rejection, it is not considered necessary to separately address them as the base independent claims are fully patentable over Brandt et al. However, many of these claims are themselves separately patentable and solely for reasons of brevity they are not being separately argued herein. Nevertheless, applicant reserves the right to separately address the patentability of all these claims in any subsequent proceeding, as necessary.

In sum, the Examiner's reconsideration is respectfully requested. It is believed that the many patentable distinctions between Brandt et al and the claimed invention have been pointed out, and that the claims now stand ready for allowance. The art cited as being related has not been studied, but it is suspected that it too is directed to consumer use of the internet to engage products and services but without the additional functionality being provided by the overlay of management software available through a single internet portal to a multitude of providers as is needed in a business-to-business environment. Should the Office choose to rely on other references in making any rejections, applicant will provide appropriate comments.

A speedy allowance is respectfully requested in view of this amendment. As an aid to the Office in considering applicant's position, an interview has been requested and further comments will be made during the interview as desired by the Examiner to answer any questions.

Respectfully submitted,

  
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**MARKED-UP COPY OF THE CLAIMS**

1. (amended) An Internet enabled automatic rental vehicle transaction system, said system having an Internet web site through which an authorized purchaser of rental vehicle services may access a rental vehicle software program resident on a computer system, said rental vehicle software program being configured to automatically respond to a series of commands from said authorized purchaser and communicate a rental vehicle reservation to one of a plurality of providers of said rental vehicle services, at least one of said rental vehicle service providers offering a plurality of specific geographically remote rental vehicle locations at which vehicles for rent are situated, said rental vehicle reservation having sufficient information for authorizing, processing and billing said rental vehicle transaction so that a rental vehicle transaction may be automatically processed thereby for any one of said plurality of said rental vehicle service providers.

35. (amended) A computer software program to provide an Internet site access by a multi-level business organization to a plurality of service providers including one such service provider having an integrated business, said access being sufficient for placing and monitoring orders for delivery of services by said integrated business, said integrated business including a computer system having a business software program configured to automatically accept reservations for, and [provide] said computer software program providing administrative control and accounting for, services offered and physically available at a plurality of geographically diverse locations.

41. (amended) A method for providing an Internet site through which an authorized purchaser comprising a multi-level business organization of rental vehicle services may access a rental vehicle software program and make reservations for any one of a plurality of rental vehicle service providers, at least one of said providers being an integrated business organization with a functional integrated computer system providing access to a plurality of diverse geographic locations at which vehicles for rental are kept, said method comprising the steps of:

providing an Internet site computer system having a software program configured to create Internet access thereto; and

establishing a link between said purchaser's computer system and at least one of said plurality of providers computer system; said Internet site software program being further configured to facilitate functional interaction between the software program resident on said rental vehicle provider's business computer system and an authorized purchaser logged onto said Internet site software program.

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**CLAIMS AS AMENDED**

1. (amended) An Internet enabled automatic rental vehicle transaction system, said system having an Internet web site through which an authorized purchaser of rental vehicle services may access a rental vehicle software program resident on a computer system, said rental vehicle software program being configured to automatically respond to a series of commands from said authorized purchaser and communicate a rental vehicle reservation to one of a plurality of providers of said rental vehicle services, at least one of said rental vehicle service providers offering a plurality of specific geographically remote rental vehicle locations at which vehicles for rent are situated, said rental vehicle reservation having sufficient information for authorizing, processing and billing said rental vehicle transaction so that a rental vehicle transaction may be automatically processed thereby for any one of said plurality of said rental vehicle service providers.

35. (amended) A computer software program to provide an Internet site access by a multi-level business organization to a plurality of service providers including one such service provider having an integrated business, said access being sufficient for placing and monitoring orders for delivery of services by said integrated business, said integrated business including a computer system having a business software program configured to automatically accept reservations for, and said computer software program providing administrative control and accounting for, services offered and physically available at a plurality of geographically diverse locations.

41. (amended) A method for providing an Internet site through which an authorized purchaser comprising a multi-level business organization of rental vehicle services may access a rental vehicle software program and make reservations for any one of a plurality of rental vehicle service providers, at least one of said providers being an integrated business organization with a functional integrated computer system providing access to a plurality of diverse geographic locations at which vehicles for rental are kept, said method comprising the steps of:

providing an Internet site computer system having a software program configured to create Internet access thereto; and

establishing a link between said purchaser's computer system and at least one of said plurality of providers computer system; said Internet site software program being further configured to facilitate functional interaction between the software program resident on said rental vehicle provider's business computer system and an authorized purchaser logged onto said Internet site software program.